

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

2020 McLaren 600 LT Spider;

2022 GMC Sierra-K2600 AT4 4x4;

2022 GMC Sierra-K2500 AT4 CC 4x4;

\$74,743.00 United States Currency;

Farmers NW Life Insurance Policy Number  
009138164;

Farmers NW Life Insurance Policy Number  
009165409;

Farmers NW Life Insurance Policy Number  
006704990V;

Zenith EL Primero Watch;

Hublot Big Bang Watch;

Breitling Navitimer 43mm Watch;

Rolex Daytona Watch 116509 Serial Number  
65S626F8 21749;

Rolex Oyster Perpetual Watch Serial Number  
X64G6926 AF124300X6;

Rolex Oyster Perpetual Watch Serial Number  
259G7053 2831-7351-4857;

18K Yellow Gold Hockey Goalie pendant  
with diamonds and yellow gold chain;

18K white gold adjustable chain and four  
hearts solitaire pendants;

Rolex Oyster Perpetual Watch Serial Number

CASE NO. 8:22-CV-240

**ANSWER OF DARLAND PROPERTIES  
TO AMENDED COMPLAINT FOR  
FORFEITURE IN REM**

X5965319 22244; )  
 )  
 18K Yellow Gold Hockey Player pendant )  
 with diamonds and gold chain; )  
 )  
 18K White Gold Bull Rider pendant with )  
 diamonds and chain; )  
 )  
 18kt White Gold Wide Diamond ring with )  
 Sapphires; )  
 )  
 18kt White Gold Ladys Ring with sapphires )  
 and diamonds; )  
 )  
 Rolex 40MM Oyster Perpetual Daytona )  
 White Mop8 Watch Serial Number )  
 C3J48934; )  
 )  
 Astron SS CSHN Brace Watch; )  
 )  
 ¼ ctw DIA 18” station necklace; )  
 )  
 8.30 ctw DIA 18KW necklace; )  
 )  
 Rolex Oyster Perpetual Watch Serial Number )  
 179E626; )  
 )  
 Breitling Aviator 8 Curtis Warhawk Watch; )  
 )  
 Omega Aqua Terra Limited Edition Watch; )  
 )  
 Omega Speedmaster Watch; )  
 )  
 Omega Seamaster Watch; )  
 )  
 Degrisogono Powerbreaker Watch; )  
 )  
 17756 East Colt Drive, Queen Creek, )  
 Arizona; )  
 )  
 980 County Road W, Space 1146, Fremont, )  
 Nebraska; )  
 )  
 5605 North 168<sup>th</sup> Street, Omaha, Nebraska; )  
 )  
 50% Interest in 2203 23<sup>rd</sup> Street, Columbus, )  
 Nebraska, )  
 )  
 )

Defendants. )  
)

COMES NOW Darland Properties, LLC (“Properties”) on its own behalf and on behalf of those entities for which Properties provided management services during the relevant period as identified in Properties’ Verified Claim (Doc #31), its Clients (defined in ¶12 of Properties’ Verified Claim) and Consenting Clients (defined in ¶13 of Properties’ Verified Claim), for their answer to the Amended Complaint for Forfeiture in Rem filed herein (Doc #15) state as follows:

1. Upon Information and Belief, such information becoming first known by Properties and its Clients and Consenting Clients subsequent to the filing of the Complaint for Forfeiture in Rem (Doc #1), Properties and its Clients and Consenting Clients admit Paragraphs 1 thru 68 of said Amended Complaint.

2. Answering Paragraphs 69 thru 75 of said Amended Complaint, Properties and its Clients and Consenting Clients admit that the Defendant Properties constitute or are derived from proceeds traceable to violations of those listed violations of Title 18 US Code but denies the remaining allegations and state that Properties and its Clients and Consenting Clients have a superior interest in such properties and proceeds by virtues of rules of equity and good conscience, which require the imposition of a constructive trust on such properties and proceeds.

#### AFFIRMATIVE RESPONSES

1. Properties and its Clients and Consenting Clients incorporate herein by reference its Verified Claim of Interest in the defendant property described in the caption (Doc. #31-1).

2. Properties and its Clients and Consenting Clients are an “innocent owner” as defined pursuant to 18 U.S.C. §983 for the reason that Properties and its Clients and Consenting

Clients did not know of the alleged conduct giving rise to this forfeiture action when Properties and its Clients and Consenting Clients transferred money to Brett Cook, Stenstrom Services, Inc., Jeff Stenstrom, Midwest Property Maintenance Solutions, Brian Cook, and/or any other person or entity which obtained proceeds traceable to violations of the provisions of Title 18 US Code in the Amended Complaint which was used to obtain and acquire the Defendant Properties and upon learning of the conduct giving rise to the forfeiture, did all that reasonably could be expected under the circumstances to terminate such use of the money and its proceeds.

WHEREFORE, Properties and its Clients and Consenting Clients pray that this Court impose a constructive trust on all Defendant Property subject to forfeiture listed in the Amended Complaint and further declare that Properties and its Clients and Consenting Clients rights, title and interests to such property is superior to the right of all other persons and entities and for such other and further relief as the Court deems just and equitable.

Dated: September 16, 2022.

DARLAND PROPERTIES, LLC

By: /s/ DJ Rison

Mark F. Enenbach, #15202

DJ Rison, #27225

McGrath North, Mullin & Kratz, PC LLO

First National Tower, Suite 3700

1601 Dodge Street

Omaha, NE 68102

(402) 341-3070

menenbach@mcgrathnorth.com

drison@mcgrathnorth.com

-and-

By: /s/ Edward D. Hotz

Edward D. Hotz, #11927

William N. Beennan, #26544

Benjamin C. Denver, #26315

Pansing Hogan Ernst & Bachman, LLP

10250 Regency Circle, #300

Omaha, NE 68114-3728

(402) 397-5500

ehotz@pheblaw.com

wbeerman@pheblaw.com

bdeaver@pheblaw.com

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 16<sup>th</sup> day of September 2022, a copy of the above and foregoing was electronically filed with the Clerk of the Court using CM/ECF system which sent notification electronically to such to all CM/ECF participants.

/s/ DJ Rison